

TIMOTHY ELDER (CA BAR NO. 277152)
KRISTOPHER A. NELSON (CA BAR NO. 342552)
TRE LEGAL PRACTICE
1155 Market Street, Tenth Floor
San Francisco, CA 94103
Telephone: (415) 873-9199
Facsimile: (415) 952-9898
Email: telder@trelegal.com, knelson@trelegal.com

S. TOMIYO STONER (CA BAR NO. 289246)
UNDAUNTED LAW FIRM, P.C.
1500 Dragon St. Suite 160
Dallas, Texas 75039
Telephone: (214) 415-7340
E-mail: tstoner@undauntedlaw.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISAMARIA MARTINEZ,

Plaintiff,

v.

**COUNTY OF ALAMEDA, MELISSA
WILK**, in her individual capacity, **EVA HE**,
in her individual capacity, **MARIA LAURA
BRIONES**, in her individual capacity,

Defendants.

Case No. 3:20-cv-06570-TSH

**DECLARATION OF KAREN MCCALL,
M.ED., IN SUPPORT OF PLAINTIFF'S
STATEMENT OF FACTS AND
OPPOSITION TO DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT ON DECLARATORY
RELIEF**

Hearing Date: January 5, 2023
Hearing Time: 9:30am
Courtroom: by Zoom video conference
Judge: Hon. Thomas S. Hixson

I, Karen McCall, declare:

1. This declaration is based on my personal knowledge. I am competent to testify on the matters stated and declare that these items are true and accurate to the best of my knowledge and belief.

1 2. I am the principal owner and founder of Karlen Communications, an internationally
2 recognized and award-winning firm that specializes in remediating, designing and training for
3 accessible documents and fillable forms that people with disabilities can use. I have advanced
4 degrees, nearly 22 years of experience working in my field and have published extensively on the
5 subject of accessible document design, including authoring peer-reviewed publications. A copy
6 of my curriculum vitae is attached as Exhibit C.

7 3. I am also a blind person with the lived experience of using screen readers and other
8 access technology to interface with accessible documents. I use this technology on a daily basis
9 and have both professional and personal understandings of its use by blind and other disabled
10 individuals.

11 4. In approximately December 2022 I was asked to review several versions of the Fictitious
12 Business Name Statement ("FBNS") PDF form offered by Alameda County, California. I
13 performed a comprehensive review of these sequential versions of the electronic FBNS form. A
14 complete report of my findings, methodology and tools used are contained in my December 21,
15 2022 report, attached hereto as Exhibit D.

16 5. I tested several iterations of the electronic FBNS form, including the current version
17 posted on the Alameda County website as of the date of this declaration. I did my testing with the
18 JAWS and NVDA screen readers. I additionally tested the most recent version of the FBNS PDF
19 with an iPhone.

20 6. All three iterations of the FBNS form that I tested have significant accessibility barriers
21 that impede someone without functional vision from reliably filling out the form. These
22 accessibility barriers represent access to some of the content but not all the content necessary to
23 understand the form and fill it out. For example, the most current version of the PDF form
24 currently posted on the County website as of the date of this declaration permits reading of the
25 second page of instructions, but does not offer any access to enable a blind person to non-
26 visually read or type text into the form fields on page 1.

27 7. It is thus my opinion to a reasonable degree of professional certainty based on the facts
28 presented that all versions of the FBNS form tested including the most current version are not

1 accessible under any professional standard. These electronic FBNS forms, including the most
2 recent version, cannot be independently completed by a blind person who needs non-visual
3 access through screen reader technology such as JAWS. This most recent version of the
4 electronic FBNS form represents a degradation on accessibility when compared with the
5 previous version.

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7
8 I declare under penalty of perjury that the foregoing is true and correct.
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11 Executed on: December 22, 2022

DocuSigned by:
Karen McCall
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